



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

CPK  
F. #2019RO1100

*610 Federal Plaza  
Central Islip, New York 11722*

January 29, 2020

By ECF

Honorable Sandra J. Feuerstein  
United States District Judge  
1010 Federal Plaza  
Central Islip, New York 11722

Re: U.S. v. Kamal Zafar, CR 19-385(SJF)  
U.S. v. Sharma, CR 19-024 (SJF)

Dear Judge Feuerstein:

As mentioned at the conference today in the U.S. v. Kamal Zafar, CR 19-385(SJF) case, the government writes to request that the indictments in the two above-referenced cases be consolidated for trial on May 11, 2020 pursuant to Fed. R. Crim. P. 13. Rule 13 states, in relevant part, that “the court may order that separate cases be tried together as though brought in a single indictment if all offenses and all defendants could have been joined in a single indictment.”

Here, the cases could have been brought together as the cases involved different cells of the same overarching conspiracy, namely a wire fraud conspiracy involving international phone calls. On the phone calls, individuals from call centers in India would impersonate officials of the Internal Revenue Service or Social Security Administration in an attempt to extract funds from the victims. Callers would also, at times, pretend to be computer service individuals who had identified a virus in a person’s computer in an attempt to extract money from the person. The lead defendant in U.S. v. Sharma was in charge of all defendants in both cases.

In addition, the charges are the same in both indictments, conspiracy to commit wire fraud and conspiracy to commit money laundering. Accordingly, separate trials would lead to a waste of the court’s time as the same testimony would have to

be heard twice and the same requests to charge would have to be given to different juries. The combined trials should take less than three weeks, beginning on May 11, 2020 and concluding on, or before May 29, 2020. Therefore, the United States requests that the trial of both cases be consolidated for trial on May 11, 2020.

Respectfully submitted,

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United States Attorney

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cc: Defense Counsel (on both cases)